

**AMENDMENT TO THE COMMITTEE PRINT**  
**OFFERED BY MR. BROWN OF OHIO**

In title III, subtitle A, add at the end the following  
new section:

1   **SEC. 303. GASOLINE AVAILABILITY STABILIZATION RE-**  
2                   **SERVE.**

3       (a) ESTABLISHMENT.—

4           (1) AUTHORITY.—The Secretary of Energy  
5       shall establish a Gasoline Availability Stabilization  
6       Reserve (in this section referred to as the “GAS Re-  
7       serve”) system with a total capacity of 20,000,000  
8       barrels of regular unleaded gasoline.

9           (2) RESERVE SITES.—Not later than 1 year  
10      after the date of enactment of this Act, the Sec-  
11      retary shall determine a site for one GAS Reserve  
12      each in the Northeast and Midwest regions of the  
13      United States, and one in California. Such reserve  
14      sites shall be operational within 2 years after the  
15      date of enactment of this Act. The Secretary may  
16      establish two additional GAS Reserve sites at loca-  
17      tions selected by the Secretary.

18           (3) SECURITY.—In establishing the GAS Re-  
19      serve under this section, the Secretary shall obtain



1 the concurrence of the Secretary of Homeland Secu-  
2 rity with respect to physical design security and  
3 operational security.

4 (b) TRANSPORTATION PLAN.—Not later than 2 years  
5 after the date of enactment of this Act, the Secretary of  
6 Energy shall transmit to the Congress, the Secretary of  
7 Homeland Security, and the Governor of each State in  
8 which a reserve will be sited a plan for the transportation  
9 of the contents of the GAS Reserve under this section to  
10 consumers in the event of an emergency sale under sub-  
11 section (d).

12 (c) FILL DATE.—The Secretary of Energy shall com-  
13 plete the process of filling the GAS Reserve under this  
14 section by March 1, 2007.

15 (d) EMERGENCY SALE AUTHORIZATION.—The Sec-  
16 retary of Energy shall sell gasoline from the GAS Reserve  
17 if—

18 (1) the Governor of a State transmits to the  
19 Secretary a written request for GAS Reserve emer-  
20 gency sales assistance which—

21 (A) cites a physical disruption in the sys-  
22 tem supplying gasoline to the Governor's State;  
23 and

24 (B) demonstrates to the satisfaction of the  
25 Secretary that such disruption is likely to result



1 in price volatility for retail gasoline markets in  
2 the Governor's State; and

3 (2) the Secretary determines that—

4 (A) GAS Reserve emergency sales would  
5 mitigate gasoline price volatility in the Gov-  
6 ernor's State;

7 (B) GAS Reserve emergency sales would  
8 not have an adverse effect on the long-term eco-  
9 nomic viability of retail gasoline markets in the  
10 Governor's State and adjacent States;

11 (C) the physical disruption described in  
12 paragraph (1)(A) is likely to result in general  
13 economic disruption in the Governor's State  
14 and adjacent States; and

15 (D) GAS Reserve emergency sales would  
16 serve to stabilize gasoline prices, not suppress  
17 prices below long-term market trend levels.

18 (e) PROCEDURE.—

19 (1) SECRETARY'S RESPONSE.—The Secretary of  
20 Energy shall respond to a request transmitted under  
21 subsection (d)(1) within 10 days of receipt of a re-  
22 quest by—

23 (A) approving the request;

24 (B) denying the request; or



1 (C) requesting additional supporting infor-  
2 mation.

3 (2) APPROVAL.—If the Secretary approves a re-  
4 quest, the Secretary shall provide to the Governor a  
5 written notice of approval that includes—

6 (A) a description of the GAS Reserve  
7 emergency sale plan; and

8 (B) an explanation of the Secretary's deci-  
9 sion.

10 (3) DENIAL.—If the Secretary denies a request,  
11 the Secretary shall provide to the Governor a written  
12 notice of denial that includes an explanation of the  
13 Secretary's decision.

14 (4) ADDITIONAL INFORMATION.—If the Sec-  
15 retary requests additional information and the Gov-  
16 ernor does not respond for a period of 10 days, the  
17 Governor's request shall be denied. If the Governor  
18 provides all requested additional information in  
19 timely manner, the Secretary shall approve or deny  
20 the request within 10 days after receipt of such in-  
21 formation.

22 (f) MAINTENANCE TRANSACTIONS.—The Secretary  
23 of Energy is authorized to conduct purchases and sales  
24 of gasoline at wholesale for maintenance of the GAS Re-



1 serve system. In conducting maintenance transactions, the  
2 Secretary shall ensure that—

3 (1) the GAS Reserve is available to respond to  
4 emergencies during periods of the annual gasoline  
5 market cycle when the Secretary expects demand to  
6 be highest;

7 (2) the GAS Reserve does not contain gasoline  
8 for a period of time so long as to jeopardize its qual-  
9 ity; and

10 (3) maintenance transactions are timed so as to  
11 minimize their impact on the retail price of gasoline.

12 (g) REPORTS.—Not later than November 1 of each  
13 year, the Secretary of Energy shall transmit to the Com-  
14 mittee on Energy and Commerce of the House of Rep-  
15 resentatives and to the Committee on Energy and Natural  
16 Resources of the Senate a report on the GAS Reserve pro-  
17 gram, describing the physical status of GAS Reserve facili-  
18 ties, the program's financial outlook, and the disposition  
19 of any emergency sales request received and any emer-  
20 gency sales conducted since the last report, and recom-  
21 mending any additional appropriations or technical  
22 changes appropriate to improve the program's operation.

23 (h) AUTHORIZATION OF APPROPRIATIONS.—There  
24 are authorized to be appropriated to the Secretary of En-  
25 ergy such sums as may be necessary for construction and



1 operation of the GAS Reserve for fiscal years 2005  
2 through 2010.

